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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-fourth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations of the Committee on the Rights of the Child

GEORGIA

1. The Committee considered the initial report of Georgia (CRC/C/41/Add.4/Rev.1), submitted on 21 January 1998, at its 619th to 620th meetings (see CRC/C/SR.619-620), held on 17 May 2000, and adopted* the following concluding observations:

A. Introduction

2. The Committee welcomes the submission of the State party's initial report which followed the established guidelines. The Committee welcomes the written replies to its list of issues (CRC/C/Q/GEO/1) which allowed for a clearer understanding of the situation of children in the State party. The Committee is encouraged by the constructive and open dialogue it had with the State party and welcomes the positive reactions to the suggestions and recommendations made during the discussion.

3. The Committee acknowledges that the presence of a high-ranking delegation directly involved in the implementation of the Convention allowed for a fuller assessment of the situation of the rights of children in the State party.

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* At the 641st meeting, held on 2 June 2000.

B. Positive aspects

4. The Committee notes the efforts of the State party in the area of legal reform. In particular, it notes the adoption of a new Constitution (1995) which guarantees universally recognized rights and freedoms. The Committee also notes the enactment of the National Ombudsman Act (1995), the Education Act (1997), the Adoption Act (1997), the Criminal Procedures Code (1997), the Civil Procedural Code (1997), the Law on the Protection and Encouragement of the Natural Feeding of Children (1999) and the Criminal Code (1999). In this context, the Committee welcomes the establishment of the Parliamentary Subcommittee on Mother and Child Affairs to participate in the preparation of draft laws relevant to children. It is noted that the Subcommittee has devoted considerable attention to the situation of children in pre-schools, children's homes and special boarding schools for children.

5. The Committee welcomes the establishment of the Office of the Public Defender (1996) to examine complaints of violations of human rights and notes that it includes a Commissioner for the Rights of Women and Children.

6. The Committee welcomes the ratification by the State party of the six main international human rights instruments as well as its accession to the Council of Europe and its subsequent ratification of the Convention on the Protection of Human Rights and Fundamental Freedoms.

7. The Committee expresses satisfaction that the State party, with the support of the Office of the High Commissioner for Human Rights and UNICEF, has translated the Convention on the Rights of the Child, the Universal Declaration of Human Rights and other human rights instruments into the Georgian and Abkhaz languages.

8. The Committee welcomes the election of the Youth Parliament of Georgia (April 2000) which is mandated to consider relevant youth issues and prepare recommendations in this regard to the National Parliament of Georgia. The Committee notes that 50 per cent of the Youth Parliament's 166 members are between the ages of 14 and 18 years.

C. Factors and difficulties impeding the implementation of the Convention

9. The Committee acknowledges that the economic and social difficulties facing the State party have had a negative impact on the situation of children and have impeded the full implementation of the Convention. In particular, it notes the impact of the structural adjustment programme and the high levels of unemployment and poverty. The Committee further notes that the civil and political unrest which emerged soon after the State party declared its independence in 1991 has slowed the period of transition and prevented the implementation of adequate programmes and services for children, especially those in conflict zones.

D. Subjects of concern and recommendations

1. General measures of implementation

Legislation

10. While the Committee notes the recent efforts by the State party to enact additional legislation and to undertake a review of its legislation to ensure greater consistency with the Convention, it is concerned that domestic legislation still does not fully reflect the principles and provisions of the Convention.

11. The Committee recommends that the State party reinforce its efforts to ensure that its laws conform fully with the principles and provisions of the Convention and in this regard encourages the prompt submission of the recommendations of the review of legislation to Parliament with a view to their early implementation. The State party is further encouraged to consider the possibility of enacting a comprehensive code for children.

Coordination

12. The Committee notes with concern the lack of an effective mechanism to facilitate the coordination and systematic implementation of the Convention and to monitor the progress achieved in this regard. While the Committee notes the efforts of the State party to foster closer relations and cooperation with NGOs involved in the implementation of children's programmes, it is concerned that insufficient efforts have been made to include civil society in the coordination and implementation of the Convention. The Committee notes the State party's intention to prepare a national plan of action for children.

13. The Committee recommends that the State party adopt a comprehensive national plan of action to implement the Convention, allocate resources, both human and financial, develop capacity, and give attention to intersectoral coordination and cooperation at and between national and local levels of government. The State party is encouraged to provide adequate support to local authorities for the implementation of the Convention.

Data collection

14. The Committee is concerned that the current data collection mechanism is insufficient to afford the systematic and comprehensive collection of disaggregated quantitative and qualitative data for all areas covered by the Convention in relation to all categories of children in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

15. The Committee recommends that the State party reinforce its efforts to introduce a comprehensive system of data collection incorporating all the areas covered by the Convention. Such a system should cover all children up to the age of 18 years, with specific emphasis on those who are particularly vulnerable, including children living in the mountainous regions; children with disabilities; children living in poverty; children in

conflict with the law; children of single-parent families; child victims of abuse, including sexual abuse; children living and/or working on the streets; internally displaced children; and children affected by armed conflicts, especially those in South Ossetia and Abhkazia, particularly in the Gali district. The Committee takes note of the State party's request for technical assistance in this regard and encourages it to follow up with, among others, the United Nations Population Fund (UNFPA) and UNICEF.

Independent monitoring structures

16. While the Committee notes the establishment of the Office of the Public Human Rights Defender to examine complaints of violation of human rights, it is concerned that insufficient efforts have been made to ensure that this complaint mechanism is easily accessible and available to children whose rights have been violated. Concern is also expressed that the post of Public Defender has remained vacant for several months and that insufficient resources have been allocated for the effective functioning of the Office of the Public Defender.

17. The Committee suggests that the State party take all appropriate measures to ensure that its independent complaints mechanisms are easily accessible to and user-friendly for all children so that it may deal with complaints of violations of their rights and provide remedies for such violations. In this regard, the Committee suggests that the State party introduce an awareness-raising campaign to facilitate the effective use by children of such a mechanism. Further, the Committee recommends that the State party allocate adequate financial and human resources to ensure the effective functioning of the Office of the Public Defender in all regions of the country. The State party is encouraged to consider the early appointment of regional representatives in this regard.

Allocation of budgetary resources

18. While the Committee notes that the civil and political unrest, the economic crisis and the structural adjustment programme have had adverse effects on social investment, it is concerned that in light of article 4 of the Convention, not enough attention has been paid to allocating budgetary resources in favour of children "to the maximum extent of ... available resources". Concern is also expressed at the widespread practices of tax evasion and corruption which are believed to have an effect on the level of resources available for the implementation of the Convention.

19. In light of articles 2, 3 and 6 of the Convention, the Committee encourages the State party to pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations to ensure implementation of the economic, social and cultural rights of children, to the maximum extent of available resources and, where needed, within the framework of international cooperation. The Committee recommends that the State party undertake all appropriate measures to improve its system of tax collection and reinforce its efforts to eradicate corruption.

Dissemination of the principles and provisions of the Convention

20. The Committee notes that the Convention has been translated into the Georgian and Abkhaz languages and that human rights, including the rights of the child, have been included in the school curricula in Tbilisi. The Committee remains concerned, however, that insufficient efforts have been made to promote awareness of the principles and provisions of the Convention and that professional groups, children, parents, and the public at large are generally not sufficiently aware of the Convention and the rights-based approach enshrined therein.

21. The Committee recommends that greater efforts be made to ensure that the provisions of the Convention are widely known and understood by adults and children alike. The Committee further recommends the reinforcement of adequate and systematic training and/or sensitization of professional groups working with and for children, such as judges, lawyers, law enforcement personnel, teachers and school administrators, especially outside of the capital; health personnel, including psychologists, and social workers; and personnel of childcare institutions. It further suggests that the State party seek to ensure that the Convention is fully integrated into the curricula in all regions of the State party and at all levels of the educational system. In this regard, the Committee encourages the State party to continue its technical cooperation programmes with OHCHR and UNICEF, among others.

2. Definition of the child

22. The Committee notes with concern that the law does not include legal minimum ages for sexual consent and medical treatment without parental consent.

23. It is recommended that the State party enact relevant legislation concerning the minimum legal ages for sexual consent and medical treatment without parental consent.

3. General principles

Non-discrimination

24. The Committee notes with concern that the principle of non-discrimination is not adequately implemented with respect to certain vulnerable groups of children, including children living in conflict areas, children living in institutions, children living in the mountainous regions, children with disabilities, children of single parent families, children of poor families, children in conflict with the law, children living and/or working on the streets, refugee children and internally displaced children. The Committee is particularly concerned about their limited access to adequate health, education and other social services.

25. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination and their full compliance with article 2 of the Convention, particularly as it relates to the vulnerable groups.

Best interests of the child

26. The Committee is concerned that the general principle of the best interests of the child has not been taken fully into account in the State party's legislative, administrative and judicial decisions, as well as in policies and programmes relevant to children.

27. The Committee recommends that the State party take all appropriate measures to ensure that the general principle of the best interests of the child is appropriately integrated in all legal provisions as well as in judicial and administrative decisions and in projects, programmes and services which have an impact on children.

Respect for the views of the child

28. The Committee notes the efforts of the State party to encourage respect for the views of the child in court and administrative proceedings as well as within the school environment through, inter alia, the establishment of school councils where students are represented and allowed to promote the views of their peers. It is concerned, however, that the views of children are still not adequately respected within the family and in society generally.

29. The Committee recommends that the State party develop a systematic approach to increasing public awareness of the participatory rights of children and encourage respect for the views of the child within the family, communities, and care and other institutions.

4. Civil rights and freedoms

Freedom of association

30. The Committee notes with concern that the law prohibits youth from becoming members of political parties and that this prohibition limits the opportunity for youth to learn about the political process, delays their preparation for political leadership, and denies their full right to freedom of association.

31. In light of article 15 of the Convention, the Committee recommends that the State party amend its legislation to ensure that youth are allowed to join political parties and that they fully enjoy their right to freedom of association.

Access to appropriate information

32. The Committee notes with concern that despite existing prohibitions, including the enactment of legislation banning abuse of the naivety and inexperience of minors in advertising, children are still not adequately protected from harmful information, including violence and pornography.

33. In light of article 17 of the Convention, the Committee recommends that the State party strengthen its efforts to protect children from harmful information.

5. Family environment and alternative care

Protection of children deprived of a family environment

34. While the Committee welcomes the State party's programme of deinstitutionalization, it is concerned about the still high number of institutionalized children and the poor standard of living and quality of care in institutions.

35. The Committee recommends that the State party establish a code of standards to ensure that children deprived of a family environment receive adequate care and protection. The Committee recommends that the State party reinforce its efforts to provide additional training, including in children's rights, for the staff of institutions; ensure the periodic review of placements in institutions; and establish an independent complaint mechanism for children in alternative care institutions. The Committee encourages the State party to introduce measures to guarantee and protect the human dignity of children living in institutions and to make these institutions more child friendly. The State party is also encouraged to increase the level of resources allocated for the protection and care of children deprived of a family environment. Finally, the Committee recommends that the State party increase its efforts to prevent institutionalization and pay special attention in that regard to vulnerable families by, for example, providing them with adequate support services.

Foster care

36. While the Committee notes that the State party has recently adopted a new law on foster care, it remains concerned that insufficient resources impede the effective implementation of this new law. Concern is also expressed at the unregulated nature of the practice of kinship fostering.

37. The Committee recommends that the State party provide adequate resources, both financial and human, for effective implementation of the new law on foster care; introduce programmes to raise awareness and promote foster care; and undertake measures to regulate kinship fostering in order to ensure that the best interests of the children concerned are taken into account.

Adoption

38. The Committee notes with concern that both domestic and intercountry adoptions are inadequately monitored. While the Committee notes the State party's concerns regarding adoptions and the need to keep the identity of genetic parents confidential, it is deeply concerned that the law on adoption provides that the date and place of birth of an adopted child may be changed at the request of the adoptive parents.

39. In light of article 21 of the Convention, the Committee recommends that the State party introduce proper monitoring procedures with respect to both domestic and intercountry adoptions. With reference to articles 3 and 7 of the Convention the Committee recommends that the State party consider amending its legislation to ensure that information about the date and place of birth of adopted children and their genetic

parents are preserved and, where possible, made available to these children upon request and when in their best interests. Additionally, the Committee further encourages the State party to consider the possibility of acceding to the Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993.

Abuse/neglect/maltreatment/violence

40. The Committee notes with appreciation that a department for the protection of the rights of children has been established within the Ministry of Education to monitor and prevent abuse and neglect of children and that a research project was conducted in 1997 to ascertain the real situation of abuse of children within schools, the family and in society generally. The Committee welcomes the appointment of inspectorates for the affairs of minors that are mandated to monitor the situation of abuse within families, as well as the establishment of a crisis centre which includes rehabilitation programmes for street children and women victims of domestic violence. However, the Committee remains concerned at the high and increasing incidence of abuse of children, including sexual abuse, neglect, abandonment and domestic violence. The Committee also expresses concern at the lack of awareness and information on domestic violence, ill-treatment and abuse (physical, sexual and psychological) of children and the insufficient financial and human resources allocated, as well as at the inadequacy of the programmes established to prevent and combat all forms of abuse of children. While the Committee notes that a State programme for the protection, development and social adaption of minors has been established it is concerned that funding allocated for its implementation is insufficient.

41. In light of article 19, the Committee recommends that the State party undertake studies on domestic violence, ill-treatment and abuse (including sexual abuse within the family) with a view to adopting adequate policy measures and to changing traditional attitudes. The Committee recommends that all appropriate measures be taken to introduce mandatory reporting of abuse, including sexual abuse of children. It also recommends that cases of domestic violence, ill-treatment and abuse of children be properly investigated within a child-friendly judicial procedure and sanctions applied to perpetrators, including treatment, with due regard given to protecting the right to privacy of the child. Additional measures should also be taken to ensure the physical and psychological recovery and social reintegration of child victims in accordance with article 39 of the Convention, and the prevention of criminalization and stigmatization of victims. The Committee recommends that the State party take all appropriate measures to discourage the neglect and abandonment of children. The State party is encouraged to allocate funds to implement the State programme for the protection, development and social adaption of minors. The Committee recommends that the State party seek technical assistance from UNICEF, among others.

Corporal punishment

42. While the Committee notes that corporal punishment in schools is prohibited by law and that there is an intention also to prohibit its use within the family, it is concerned that this type of punishment continues to be used in schools, families and care institutions.

43. The Committee recommends that the State party take legislative measures to prohibit all forms of physical and mental violence, including corporal punishment, within the family, the schools and care institutions. The Committee further recommends that the State party, through, for example, public awareness campaigns, promote positive, non-violent forms of discipline as an alternative to corporal punishment, especially in families, the schools and care institutions.

6. Basic health and welfare

Right to health and access to health services

44. The Committee notes with appreciation the elaboration of a National Health Policy to the year 2010 with the support of WHO and the World Bank, which includes the enhancement of the health of mothers and children as one of its priorities. However, the Committee is concerned about the health situation of children which continues to be affected by the poor economic situation within the State party. In particular, it notes the limited access to and quality of health services, particularly among children living in conflict zones as well as in the mountainous regions; the increasing cost of basic health care of which the State party covers only 15-20 per cent; the inadequate allocation of funding for health; the high maternal, child and infant mortality rates; the increasing malnutrition rate; and the deteriorating situation of sanitation and safe drinking water supplies. While the Committee notes that the State party is receiving technical assistance for the immunization campaign, it is concerned that vaccines continue to be unavailable and that negative social attitudes towards vaccinations have resulted in a resurgence of preventable diseases such as diphtheria.

45. The Committee recommends that the State party allocate appropriate resources for the implementation of the National Health Policy and, where appropriate, develop additional policies and programmes to improve the health situation of children, especially those living in mountainous regions and conflict zones; facilitate greater access to and quality of primary health services; ensure the availability of vaccines; reduce the incidence of maternal, child and infant mortality; prevent and combat malnutrition, especially in vulnerable and disadvantaged groups of children; and increase access to safe drinking water and sanitation. Additionally, the Committee encourages the State party to continue its cooperation with respect to the Integrated Management of Childhood Illnesses initiative.

Adolescent health

46. The Committee expresses its concern with respect to the limited availability of programmes and services and the lack of adequate disaggregated data in the area of adolescent health, including teenage pregnancy, abortion, HIV/AIDS and STDs, alcohol, drug and substance abuse, including tobacco use, violence and mental health.

47. The Committee recommends that the State party increase its efforts in promoting adolescent health policies and child-friendly counselling services as well as strengthening reproductive health education, including the promotion of acceptance by men of the use of contraceptives. The Committee suggests that a comprehensive and multidisciplinary study be undertaken to ascertain the scope of adolescent health problems, including the special

situation of children infected with, affected by or vulnerable to HIV/AIDS and STDs. Additionally, it is recommended that the State party take further measures, including the allocation of adequate human and financial resources, to increase the number of social workers and psychologists, and to develop youth-friendly care and rehabilitation facilities for adolescents. It is further recommended that the State party seek technical assistance from UNICEF and WHO, among others.

Children with disabilities

48. The Committee welcomes the 1997-2000 State programme for social protection and rehabilitation of children with disabilities as well as the survey undertaken in this regard. The Committee remains concerned, however, about the absence of protection and the lack of adequate facilities, coordination and services for children with disabilities. The Committee is also concerned that insufficient efforts have been made to facilitate the inclusion of children with disabilities in the regular school system and in society generally.

49. In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69), it is recommended that the State party develop early identification programmes to prevent disabilities, increase its efforts to implement alternatives to the institutionalization of children with disabilities, establish special education programmes for children with disabilities and, where possible, encourage their inclusion in the regular school system and in society generally. The Committee recommends that the State party take all appropriate measures to ensure that adequate resources are allocated for the effective implementation of programmes and services for children with disabilities, as well as their families. Further, the Committee recommends that the State party undertake an awareness-raising campaign to sensitize the public about the rights and special needs of children with disabilities, including children with mental health concerns. The Committee further recommends that the State party seek technical cooperation for the training of professional staff working with and for children with disabilities from WHO, among others.

Right to an adequate standard of living

50. The Committee notes with concern the large percentage of the population living below the poverty line (approximately 43 per cent and mainly in urban centres) and the inability of the social security system to improve the situation of the growing number of poor families.

51. In accordance with article 27 of the Convention, the Committee recommends that the State party increase its efforts to provide material assistance and support to economically disadvantaged families and guarantee the right of children to an adequate standard of living. In this context, the State party is encouraged to promote programmes to discourage and prevent child begging. The Committee encourages the State party to proceed with the programme, in cooperation with the World Bank, to eradicate poverty, especially among children.

7. Education, leisure and cultural activities

Right to and aims of education

52. While the Committee notes that the Constitution provides for the right to education and that the 1997 Education Act was adopted with a view to improving the situation of education in the State party, it remains concerned at the situation of education, particularly of children in conflict zones and the mountainous regions. In this connection, the Committee expresses concern at the impact of the economic situation on the educational system as well as the decline in enrolment and attendance rates, particularly at the secondary level; the poor infrastructure, including inadequate heating, classrooms and other facilities for instruction; the limited availability of learning materials; insufficient resources, both human and financial; and inadequate instruction in local languages. The Committee also notes with concern that the current economic conditions in the State party and the increasing cost of childcare services have led to a significant decline in the enrolment of children in pre-school.

53. The Committee recommends that the State party take all appropriate measures, including the allocation of adequate financial, human and technical resources, to improve the situation of education and ensure that all children enjoy the right to education. The Committee further recommends that the State party seek to implement additional measures to encourage children to stay in school, particularly during the period of compulsory education, and to facilitate pre-school education. The Committee encourages the State party to take all appropriate measures to improve the quality of teaching, to develop child-friendly schools, and to facilitate the introduction of traditional languages into the school curricula. It is recommended that the State party seek to strengthen its educational system through closer cooperation with UNICEF and UNESCO.

8. Special protection measures

Refugee, asylum-seeking and internally displaced children

54. The Committee notes that despite limited resources, Georgia has received some 5,000 Chechnyans, mainly women, children and elderly people. The Committee notes that the State party has enacted the Refugees Act; however, it is concerned that insufficient efforts have been made to establish a special refugee status determination procedure for unaccompanied minors. Concern is also expressed at the absence of specific regulations regarding family reunification.

55. The Committee recommends that the State party take all appropriate measures to protect the rights of refugee, asylum-seeking and unaccompanied children and facilitate their access to adequate housing, education, health and other social services. In this regard, the State party should consider the adoption of legislation on asylum-seekers. Additionally, it is recommended that the State party take measures to facilitate family reunification and to establish an efficient refugee status determination procedure for unaccompanied minors. The Committee further recommends that the State party undertake a study on refugee, asylum-seeking and unaccompanied children to ascertain the

extent to which they are victims of torture or other cruel, inhuman or degrading treatment and punishment; economic exploitation, including forced labour; commercial sexual exploitation; sale, trafficking and abduction; and abandonment, abuse and neglect.

Internally displaced children

56. The Committee notes the adoption of the Forcibly Displaced Persons-Exiles Act and the State party's efforts, in cooperation with UNHCR, to provide humanitarian assistance to internally displaced persons, including free health care and education for children. However, the Committee remains concerned about their situation.

57. The Committee recommends that the State party implement the "New Approach" to internal displacement, which is to improve the current conditions of internally displaced persons while continuing to support their right to return voluntarily to their homes in safety and dignity, as developed by UNDP, UNHCR, the World Bank and the Office for the Coordination of Humanitarian Affairs (OCHA) and endorsed by the State party.

Children in armed conflict

58. The Committee is concerned that insufficient efforts have been made to guarantee and protect the rights of children living in conflict areas, including in South Ossetia and Abkhazia (especially in the Gali district). The Committee expresses grave concern at the significant number of landmines still in the State party, especially in the western regions along the border zones. The Committee notes with concern the insufficient efforts made by the State party to locate and clear these landmines and to protect children in this regard. Concern is also expressed about the inadequate programmes to facilitate the care and rehabilitation of child victims of landmines and the insufficient efforts to raise awareness and to prevent accidents involving children and landmines.

59. In light of articles 38 and 39 of the Convention, the Committee recommends that the State party take all appropriate measures to ensure the protection and care of children affected by armed conflict, including their physical and psychological recovery and social reintegration. The Committee strongly recommends that the State party take all appropriate measures to locate and clear the landmines in its territory, and promote awareness about the potential dangers. The State party is recommended to undertake a study to determine the impact of landmines in its territory, particularly as this affects children living in the western regions along the border. The Committee recommends that the State party reinforce its efforts to accede to the Convention on the Prohibition of the Use, Production, Transfer and Stockpiling of Anti-Personnel Landmines and on Their Destruction, which it signed in December 1997. Additionally, the State party is encouraged to seek technical cooperation with the United Nations Mine Action Service (UNMAS), among others.

Economic exploitation

60. The Committee welcomes the State party's ratification of the ILO Convention concerning the Minimum Age for Access to Employment (No. 138). In light of the current economic

situation, declining school enrolment and attendance rates, and the increasing number of children living and/or working on the streets, the Committee is concerned about the lack of information and adequate data on the situation of child labour and economic exploitation within the State party, including in the informal sector. Concern is also expressed at the significant number of children begging on the streets and their vulnerability to exploitation and abuse.

61. The Committee encourages the State party to introduce monitoring mechanisms to ensure the enforcement of labour laws and protect children from economic exploitation, particularly in the informal sector. The State party is encouraged to continue its cooperation with IPEC to finalize, by the end of 2000, a child labour survey to assess the situation of children in this regard. The Committee encourages the State party to consider ratifying the ILO Worst Forms of Child Labour Convention, No. 182.

Children living and/or working on the streets

62. Concern is expressed at the large and increasing number of children living and/or working on the streets.

63. The Committee recommends to the State party to establish mechanisms to ensure that children living and/or working on the streets are provided with identity documents, food, clothing and housing. Moreover, the State party should ensure that these children are provided adequate access to health care, rehabilitation services for physical, sexual, and substance abuse, protection from police brutality, services for reconciliation with their families and education, including vocational and life-skills training. The Committee recommends to the State party to cooperate and coordinate its efforts in this regard with civil society.

Drug abuse

64. The Committee is concerned at the increasing incidence of drug, alcohol and substance abuse among youth as well as the lack of financial and human resources, inadequate monitoring mechanism and insufficient psychological, social and medical programmes and services available in this regard.

65. In light of article 33 of the Convention, the Committee recommends that the State party take all appropriate measures, including administrative, social and educational measures, to protect children from the illicit use of alcohol, narcotic drugs and psychotropic substances and to prevent the use of children in the illicit production and trafficking of such substances. It encourages the State party to support rehabilitation programmes dealing with child victims of alcohol, drug and substance abuse. In this regard, the Committee encourages the State party to consider seeking technical assistance from UNICEF, WHO, the United Nations International Narcotics Control Board, among others.

Sexual exploitation and abuse/sale, trafficking and abduction

66. The Committee expresses concern about the increasing number of child victims of commercial sexual exploitation, including prostitution and pornography. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of child victims of such abuse and exploitation. The Committee also notes with concern that there have been reported incidents of sale, trafficking and abduction of children, especially girls, for commercial sexual exploitation.

67. In light of article 34 and other related articles of the Convention, the Committee recommends that the State party undertake studies with a view to designing and implementing appropriate legislation, policies and measures, including care and rehabilitation, to prevent and combat the sexual exploitation of children, as well as the sale, trafficking and abduction of children for commercial sexual exploitation.

Juvenile justice

68. Concern is expressed at the increasing number of children in conflict with law and the limited measures taken by the State party to address their concerns. In particular, the Committee notes:

(a) The absence of adequate legislation on juvenile justice, as well as the inconsistency of the juvenile justice system with the Convention and other relevant United Nations standards;

(b) The poor conditions of juvenile detention facilities, including the lack of adequate food, clothing, heating, educational opportunities and leisure activities for child detainees;

(c) The inadequate facilities for children in conflict with the law; the insufficient numbers of trained personnel to work with children in this regard; and the lack of a complaint mechanism for children whose rights have been violated.

69. The Committee recommends that the State party:

(a) Take all appropriate measures to implement a juvenile justice system that is in conformity with the Convention, in particular articles 37, 40 and 39, and other United Nations standards in this field, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty;

(b) Use deprivation of liberty only as a measure of last resort and for the shortest possible period of time; protect the rights of children deprived of their liberty, including their right to privacy; and ensure that children deprived of their liberty remain in contact with their families;

(c) Take all appropriate measures to improve the situation of children in juvenile detention facilities, including their access to adequate food, clothing, heating, educational opportunities and leisure activities;

(d) Introduce training programmes on relevant international standards for all professionals involved with the administration of juvenile justice;

(e) Consider seeking technical assistance from, among others, OHCHR, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Coordination Panel on Technical Advice and Assistance in Juvenile Justice.

9. Dissemination of reports

70. Finally, **the Committee recommends that, in light of article 44, paragraph 6, of the Convention, the initial report and written replies presented by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and the concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs.**